

To: Mears, Mary[Mears.Mary@epa.gov]; Distefano, Nichole[DiStefano.Nichole@epa.gov]; Rupp, Mark[Rupp.Mark@epa.gov]; Harrison, Melissa[Harrison.Melissa@epa.gov]; Lee, Monica[Lee.Monica@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]
Cc: Perry, Dale[Perry.Dale@epa.gov]; Abrams, Dan[Abrams.Dan@epa.gov]; Enck, Judith[Enck.Judith@epa.gov]
From: Benenati, Frank
Sent: Wed 8/31/2016 12:58:39 PM
Subject: RE: News Clips (PFCs)

This is great, thanks! Looking at the coverage, its very clear that all of Judith's conversations yesterday got us to a much better place in the coverage, so thank you all for setting that up and for Judith taking the time to do them.

From: Mears, Mary
Sent: Wednesday, August 31, 2016 8:46 AM
To: Distefano, Nichole <DiStefano.Nichole@epa.gov>; Rupp, Mark <Rupp.Mark@epa.gov>; Harrison, Melissa <Harrison.Melissa@epa.gov>; Lee, Monica <Lee.Monica@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Benenati, Frank <benenati.frank@epa.gov>
Cc: Perry, Dale <Perry.Dale@epa.gov>; Abrams, Dan <Abrams.Dan@epa.gov>; Enck, Judith <Enck.Judith@epa.gov>
Subject: News Clips (PFCs)
Importance: High

Hi Frank, Nicole, Melissa, Mark, Monica, Nancy, Dan and Dale,

Below are the clips from yesterday. Melissa, thank you so much for being on all of these calls! We have one more interview this morning at 10:20, then hopefully it will quiet down a little.

Mary Mears

Public Affairs Director

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From: Rodriguez, Elias **On Behalf Of** Region2 PAD News

Sent: Wednesday, August 31, 2016 8:27 AM

To: R2 EPA Region 2 (EPA Staff) <R2_EPA_Region_2_EPA_Staff@epa.gov>

Subject: News Clips (PFCs)

NYT: After Months of Anger in Hoosick Falls, Hearings on Tainted Water Begin

By JESSE MCKINLEY

AUG. 30, 2016

HOOSICK FALLS, N.Y. — It did not take long for Michael Hickey to find a connection between his father's cancer and a toxic chemical in this riverside village.

"All I typed in was Teflon and cancer, because that's what was in the factory that was in Hoosick Falls where my father worked," said Mr. Hickey, an insurance underwriter and lifelong resident here.

"It took about five minutes," he said.

It took far longer for government officials to take notice, let alone action, which came partially in response to Mr. Hickey's efforts to bring attention to the village's polluted water. On Tuesday, a State Senate committee held a daylong hearing here, after months in which residents have repeatedly expressed frustration with local, state and federal reaction to the contamination.

Mr. Hickey, who was one of the first speakers on Tuesday, talked in halting and emotional terms about the death of his father from kidney cancer, which led him to investigate, in a Google search, a possible link between Teflon and the diseases that seemed to plague his town and his family.

In recent months, Hoosick Falls, about 30 miles northeast of Albany, has become the epicenter of a sprawling public health crisis after researchers discovered that the public water supply was tainted with high levels of perfluorooctanoic acid, or PFOA. Since then, several nearby towns in New York and across the border in Vermont have also reported unsafe levels of PFOA, which was used in a variety of commercial and industrial products and in the production of Teflon.

The chemical has been deemed hazardous by the state and has been linked in some studies to an increased risk for cancer, thyroid disease and other serious ailments. In May, the Environmental Protection Agency established a lifetime standard for PFOA exposure in drinking water at 70 parts per trillion, far below what was found in several samples in Hoosick Falls' water.

More than 2,000 residents of Hoosick Falls or areas nearby have had their blood tested, with a result that is nearly 15 times the national median for those 12 or older. Hundreds were reported to be above the new E.P.A. long-term level, including some children.

Chilling discoveries continue: On Monday, the State Department of Environmental Conservation announced that it had declared municipal landfills in three towns and villages — Hoosick Falls,

Petersburgh and Berlin — to be potential state Superfund sites after high levels of the chemical were discovered. In the case of the Hoosick Falls site, the results were particularly alarming, with samples showing 21,000 parts per trillion.

Photo At a news conference in Albany in June, residents of Hoosick Falls demanded that hearings be held on the contamination. Credit Nathaniel Brooks for The New York Times

The state's Health Department did not warn against drinking the water here until after a federal warning was made public in December. And on Tuesday, State Senator Kemp Hannon, a Nassau County Republican who is the chairman of the Health Committee, criticized a December fact sheet from the Health Department — which did not warn against drinking the water, but did note possible health problems associated with PFOA — as “the most inconsistent letter I've ever seen.”

“This is an example of what has led to the folks in this community being so disturbed,” Mr. Hannon said.

In response, New York's health commissioner, Dr. Howard Zucker, noted that such contamination was “an emerging issue, and a national issue.”

Indeed, even as the hearing continued, the state stepped up its contention that the E.P.A. was confusing and inconsistent in its handling of PFOA contamination, while the E.P.A. suggested that the state was being disingenuous about its performance during the crisis, the worst environmental scare of Gov. Andrew M. Cuomo's tenure.

In a letter sent on Tuesday from state officials to the E.P.A.'s top official, Administrator Gina McCarthy, the state accused the federal agency of bungling the response to PFOA, and demanding that it cover at least \$75 million in expenses, accrued already and estimated in the future, that cannot be clawed back from polluters.

“We believe the E.P.A.'s handling of this matter aggravated the situation, causing undue expense to our agencies,” read the letter, which was signed by Dr. Zucker and Basil Seggos, the state's environmental commissioner.

In particular, Dr. Zucker and Mr. Seggos suggested that the E.P.A. had taken “no less than three different positions regarding PFOA,” causing “great public concern, frustration and anxiety.”

Judith A. Enck, the agency's administrator with responsibility for New York, defended the E.P.A.'s performance, noting that it had acted first to warn residents of Hoosick Falls about high levels of PFOA, and advising residents to avoid cooking with or drinking the water. “There was no confusion between the E.P.A. and the Health Department” about warnings to residents, she said in an interview. “There was disagreement.”

Moreover, Ms. Enck said, the agency's adjustment of the acceptable level of PFOA in water from 400 parts per trillion to 100 parts to its current long-term level of 70 was not hard to understand. “The State Health Department are distinguished professionals,” she said. “They can follow the number of 400 to 70.”

State officials have identified the source of the contamination as the Saint-Gobain Performance

Plastics plant, a bland structure on the edge of the Hoosic River, not far from the municipal wells that provide Hoosick Falls with its drinking water.

Mr. Cuomo, a Democrat, has been criticized for what some saw as a lax response to the crisis, visiting the village only months after the water was confirmed to be poisoned; lawmakers in Albany, meanwhile, were also initially noncommittal about hearings on the contamination, before eventually assenting.

Dr. Marcus Martinez, a local physician and another lifelong resident who testified alongside Mr. Hickey, said that he had long noted what he believed to be unusually high rates of cancer in the village. He said that he and Mr. Hickey had brought their concerns, as well as test results, to the attention of village and state officials in 2014, but had been frustrated by a lack of action.

"I do believe our citizens were advised incorrectly to consume water that was unsafe for at least for 12 months," Dr. Martinez said.

Representatives of Saint-Gobain did not attend the hearing, but Dina Silver Pokedoff, a spokeswoman for the company, said it had submitted statements, noting that it had paid for a new water filtration system as well as bottled water for the residents, even as the state has declared it to be a Superfund site.

"Saint-Gobain Performance Plastics remains fully committed to working closely with local, state and federal officials, with a shared focus on ensuring that the people of Hoosick Falls have drinking water that meets or exceeds current advisories set by E.P.A. and New York," the one-page statement said. "And in the investigation of the source and/or sources that is just getting underway."

That statement — and the sentiment that the job is unfinished — seemed evident on Tuesday as Mr. Hickey spoke about what he had hoped to accomplish in trying to discover why his father, who had driven a school bus as a second job, had died.

"I think it goes back to kids on the bus," Mr. Hickey said, pausing to compose himself. "Because for him, that was his family as well. And I think that what he would have wanted was to protect them."

WSJ

Hoosick Falls Hearing Grills Health Officials

Session with state senators is the first of three on village's water contamination

By MIKE VILENSKY

Aug. 30, 2016 10:54 p.m. ET

Health officials in New York Gov. Andrew Cuomo's administration faced sharp questioning Tuesday at the first legislative hearing examining the water contamination crisis in the upstate village of Hoosick Falls.

The hearing, held by the state Senate at a school in Hoosick Falls, is the first of three planned to examine an issue that has dogged Mr. Cuomo's administration during the past year and led to some of the toughest criticism the Democratic governor has faced since he took office in 2011.

Hoosick Falls, about 30 miles from Albany with some 3,500 residents, has been rattled over the past year by the appearance of the chemical perfluorooctanoic acid in its water. The contaminant has been linked to cancer in studies but hasn't been labeled a carcinogen. Health officials have said it may have infiltrated the water supply by way of a plastics plant in the region.

On Tuesday, lawmakers focused on a 2015 memo from the state Department of Health informing village residents that they should avoid the municipal water supply to prevent exposure to the contaminant. But the letter also noted that the department didn't anticipate that normal use of the water would have adverse health effects.

The day before the memo was issued, the federal government had told residents not to drink the water.

State Health Commissioner Howard Zucker, who appeared at the hearing, said the state had followed federal guidelines for navigating the issue, but that the federal government had offered confusing and conflicting directions. He called on the U.S. Environmental Protection Agency to reimburse the state for Hoosick Falls costs.

In an interview Tuesday, Judith Enck, the EPA's regional administrator overseeing New York, said Mr. Zucker's testimony was inaccurate.

Ms. Enck said the EPA had advised the state to tell residents sooner not to drink the water, but the state "decided not to offer clarity."

While the EPA did lower its standard for safe perfluorooctanoic acid levels, that followed a common process and the state was "fully aware of that process," she said.

In response to Mr. Zucker's demand that the EPA reimburse the state, Ms. Enck said that was "throwing in the towel early" on recovering costs from the sources of the pollution. Aides to the governor pointed out that the administration also called on the pollution sources to pay.

Last year, Mr. Cuomo declared parts of the area a state Superfund site, classifying the contaminant as hazardous and authorizing its removal. State officials have since said the water is safe again.

Asked if he would have done anything differently in handling the water contamination, Mr. Zucker said he thinks about that a lot but is proud of how his department has managed the problem.

The U.S. House Committee on Oversight and Government Reform has launched its own investigation into the water contamination, seeking information from Mr. Cuomo and the EPA.

This week, the state Department of Environmental Conservation said it was investigating municipal landfills in Hoosick Falls and nearby towns for perfluorooctanoic acid and may label

the landfills Superfund sites as well.

POLITICO

At Hoosick Falls hearings, Cuomo administration blames EPA

By Scott Waldman

08/30/16 06:16 PM EDT

HOOSICK FALLS — At the first of three hearings into the Hoosick Falls water pollution crisis on Tuesday, the message from Gov. Andrew Cuomo's administration was clear: the federal Environmental Protection Agency was at fault.

The hearing, called by the Republican-controlled state Senate, was packed with angry mothers chiding bureaucrats, spokespeople from at least three branches of the Cuomo administration, a phalanx of television cameras and an activist in a bright blue wig and matching tight shorts calling himself SuperWaterMan.

Story Continued Below

For almost three hours, commissioners for the state departments of health and environmental conservation repeatedly cycled back to what they said were the EPA's failures to provide clear guidance on how to address pollution caused by PFOA, a chemical found in the village's water supply.

Health commissioner Dr. Howard Zucker accused the EPA of sowing confusion and unnecessarily causing anxiety among vulnerable residents. The health and environmental conservation commissioners have sent a letter to the EPA, requesting compensation for what they described as its mishandling of the Hoosick Falls response.

Zucker said the EPA, which did not send a representative to the hearing, has issued a series of recommended safety levels of PFOA contamination in the last year that has made it hard for state officials to respond properly.

"What we could use is a little less confusion from the EPA," he said.

In an interview with POLITICO New York on Tuesday, EPA Region 2 administrator Judith Enck said the Cuomo administration was actually not confused by the recommended PFOA consumption limits, which had been 400 parts per trillion for years. The levels were lowered to 100 parts per trillion and then to 70 parts per trillion. At the time Cuomo administration officials were assuring residents their water was safe, the municipal water supply had already tested at 600 parts per trillion.

"The EPA had numerous discussions with the state of New York," Enck said in an interview with POLITICO New York. "They were not confused, they disagreed. The reason they told EPA at the time was they felt like our 400 number had a large margin of safety and therefore they did not rely on that as the number to follow."

Enck said she was concerned that the state's letter to the EPA meant it would not seek full

compensation for the pollution mitigation from the polluters. She said the companies that released PFOA into the environment should pay for its cleanup, not taxpayers.

At the hearing, state Sen. Kemp Hannon, a Republican from Long Island and chair of the chamber's health committee, blasted the health department for distributing a widely criticized fact sheet to Hoosick Falls residents in December, assuring them that "normal use" of their water would not be harmful. The sheet was distributed even though the EPA warned the state that the water in Hoosick Falls could be dangerous, as POLITICO New York previously reported.

"This is an example, I think, of what has led to the folks in this community being so disturbed, because during that year I think the advice was unclear," Hannon said. "You can claim any number of conclusions from out of that letter, it was not as definitive as it ought to have been."

The Cuomo administration did not acknowledge any missteps in its handling of the crisis. Instead, administration officials pointed to the installation of hundreds of private water treatment systems, extensive blood testing and the ongoing study of cancer rates. When Hannon asked Zucker if there was anything he would do differently, he praised the work of his colleagues.

"We worked extremely hard on this, and I am extremely proud of the team on this ... What I see when I look back at this is we have a dedicated team of experts," he said.

Hundreds of people in Hoosick Falls have elevated levels of PFOA in their bloodstream. The chemical was used in local factories manufacturing non-stick goods and was found at high levels in the municipal water supply almost two years ago.

Very little of the hearing was spent on the actions of the companies that released the toxic chemical into the water supply. The committee did not use its legal power to force the companies — St. Gobain, Honeywell and Taconic Plastics — to attend. However, a representative from SKDKnickerbocker, the powerful consulting firm hired by St. Gobain in the wake of the scandal, was in the audience.

Among those who testified was Michael Hickey, a Hoosick Falls resident who first discovered the presence of PFOA in the water by conducting his own tests. Choking back tears, he noted that his father worked two jobs, one as a school bus driver and one in the factory linked to the pollution, to support his family before succumbing to cancer. He said his father would have wanted stronger protections for the children on his bus as an outcome of the hearings.

He said multiple layers of government failed in their response to the crisis.

"It shouldn't have been so hard for us to battle through the multiple levels of red tape that we had to get through from the village to the town to the county to the state to the federal EPA," he said.

Dr. Marcus Martinez, a village doctor fought to have local elected leaders recognize the threat posed by PFOA, said residents feel misled. He said the panel should investigate the conversations that occurred between the polluters and local and state officials in the months before the release of the fact sheets assuring residents their water was safe.

"I do believe our citizens were advised incorrectly to consume water that was unsafe for at least

for 12 months,” he said.

TIMES UNION

EPA’s Enck: State DOH wasn’t confused about PFOA safety levels, they simply disagreed

By Brendan J. Lyons on August 30, 2016 at 2:44 PM

Judith Enck, administrator for the EPA’s Region 2, told the Times Union on Tuesday the federal agency had a health advisory in place since 2009 recommending that PFOA in water supplies not exceed 400 parts per trillion for short-term exposure, which would be weeks or months. The initial tests in Hoosick Falls showed five of the village’s six wells exceeded that limit, and many were above 600 ppt.

“So when I first learned of the exceedence we had multiple conversations (in 2015) with the state Health Department where they made a judgment not to follow the existing number of 400 ppt,” Enck said as the state Senate was holding a hearing on the contamination at Hoosick Falls High School. “They said today there was a built-in margin of safety and they didn’t need to follow it. ... The health department wasn’t confused, they just simply disagreed.”

The EPA ultimately issued an advisory against use of the water in December 2015, which DOH subsequently fell in line with.

Enck also said the state’s request — announced just prior to the hearing — that it wants the EPA to reimburse New York for more than \$25 million the state has spent to deal with the water crisis is misplaced.

Enck said the purpose of the Superfund laws are to make sure the polluters pay, not taxpayers, and that New York is signaling it’s already giving up on its efforts to recoup those costs.

“The Superfund law requires that the identified polluters pay the full costs,” she said. “I’d hate to think the state of New York is already throwing in the towel if they have costs they can’t get covered.”

Neither Enck nor any other EPA official appeared at the hearing, though the agency submitted a statement laying out its actions responding to the crisis.

Update: Scott Reif, spokesman for the Senate Republican majority, criticized Enck for speaking out to the Times Union in lieu of appearing at the hearing.

“It’s pretty disingenuous for the EPA to be responding blow-by-blow to what is happening at the Senate’s hearing on Hoosick Falls when they repeatedly declined our invitation to come and testify,” Reif said. “This was the venue for the EPA to clarify its position and have a serious and honest dialogue with state Senators exploring ways to prevent this from happening again. Instead, they didn’t show up. How does that help us achieve a positive result?”

TIMES UNION

EPA rapped at Senate water crisis hearing

State, local officials hit shifts on PFOA safety levels from federal Environmental Protection Agency

By Matthew Hamilton and Casey Seiler

Updated 6:59 am, Wednesday, August 31, 2016

Hoosick Falls

State and local officials heaped criticism on the federal Environmental Protection Agency at a long-awaited state Senate hearing held Tuesday after months of public outrage over the official response to the water contamination crisis in Rensselaer County.

"What we could use is a little less confusion from EPA," said state Health Commissioner Dr. Howard Zucker, who charged the federal agency had offered shifting guidance on the safe level of perfluorooctanoic acid (PFOA) in water.

In 2009, the EPA advised that water should not be used for even short-term use — weeks or months — if its PFOA concentration exceeded 400 parts per trillion.

Nevertheless, Zucker cited what he termed a "dramatic shift" in policy by EPA's Region 2 in December 2015 that led the federal agency to advise Hoosick Falls' residents against use of water from the municipal supply.

Testing on the Hoosick Falls municipal water and private wells had turned up levels above 400 ppt.

The state health commissioner said EPA's December recommendation — which came a few weeks after a Health Department fact sheet said "health effects are not expected to occur from normal use of the water" — surprised and confused state officials.

"They come from basically left field in December of 2015 ... and they say don't drink the water," Zucker said. "They then in May of 2016 put out their new health advisory of 70 parts per trillion. But even in that advisory, they don't say, 'If you're above 70 (ppt), don't drink the water.' ... So what confused us is they didn't mention, 'Don't drink the water ... above a certain level,' and do now."

Some of the most dramatic testimony came from one of the day's first witnesses: Michael Hickey, the resident who had begun testing the local water not long after the 2013 death of his father from kidney cancer, one of the diseases linked to PFOA exposure.

Hickey's father worked for three decades at the Saint-Gobain plant and as a local school bus driver.

"What would he have wanted me to do?" said Hickey, who fell silent several times as he tried to

keep his emotions in check. "I think it goes back to the kids on the bus. Because ... that was his family as well. I think that what he would have wanted was to protect them as well."

The hearing ran through the day without a break. Sen. Kathy Marchione, the Halfmoon Republican who represents the affected area, was a chief questioner along with the chairs of the chamber's Health and Environmental committees, Sens. Kemp Hannon and Tom O'Mara.

Environmental Conservation Commissioner Basil Seggos, appearing after Zucker, knocked what he termed EPA's "shifting and conflicting" guidance in the initial response to the discovery of the contamination by local resident Michael Hickey in 2014.

The comments came in the latest round in a bout between Gov. Andrew Cuomo's administration and the federal agency over the response to the PFOA contamination in Hoosick Falls and the nearby community of Petersburg. The substance, which has been linked to numerous human diseases including cancer, was used for decades in the production of non-stick cookware. The state in January designated the Saint-Gobain plant as a Superfund site.

The EPA submitted a statement to the state Senate hearing — the first of four state legislative sessions on water quality planned for the coming weeks — but declined to send a representative.

Also turning down invitations were representatives from Saint-Gobain Performance Plastics and Honeywell, the companies identified as the likely responsible parties in the pollution. (Seggos called the evidence identifying them "incontrovertible.")

Though the state Senate has the power to subpoena witnesses to appear at a hearing, it did not do so for the session. "A subpoena is never the first step, it's a last resort," said Scott Reif, spokesman for the Senate's Republican majority, who noted there will be two more Senate hearings.

Rebutting the accusations that the EPA's guidance in December was a major shift, EPA Region 2 Administrator Judith Enckin in an interview with the Times Union pointed to the agency's 2009 recommendation that PFOA in water supplies should not exceed 400 ppt.

Testing in Hoosick Falls prior to EPA's December 2015 advisory showed public and private wells that exceeded that limit, some of which were above 600 ppt. "So when I first learned of the exceedance, we had multiple conversations (in 2015) with the state Health Department where they made a judgment not to follow the existing number of 400 ppt," Enck said.

"They said (at the hearing) there was a built-in margin of safety and they didn't need to follow it," she said. " ... The health department wasn't confused, they just simply disagreed."

Just before the hearing, the state released a letter from Zucker and Seggos to EPA Administrator Gina McCarthy asking the EPA to reimburse New York for "any costs incurred during the response to the situation in Hoosick Falls that are not ultimately paid by the polluters." As in the state officials' testimony, the letter cited what they characterized as "changing, conflicting guidance from the EPA about PFOA (that) exacerbated the challenge in Hoosick Falls, resulting in undue public confusion and the marshaling of unprecedented state resources in order to adapt to the EPA's shifting advisories and recommendations."

Enck told the Times Union the state's request was misplaced, saying the purpose of federal and state Superfund laws is to ensure polluters, not taxpayers cover those costs. New York's letter, she said, signals it's already giving up on its efforts to recoup those costs.

"The Superfund law requires that the identified polluters pay the full costs," Enck said. "I'd hate to think the state of New York is already throwing in the towel if they have costs they can't get covered."

Reif criticized Enck for speaking to the Times Union and in lieu of appearing at the hearing. "It's pretty disingenuous for the EPA to be responding blow by blow to what is happening at the Senate's hearing on Hoosick Falls when they repeatedly declined our invitation to come and testify," the Senate spokesman said.

Seggos said the state's costs — including the installation of hundreds of filtering systems on public and private wells — have already topped \$25 million, and are expected to grow. The state is already exploring options for a new water source for the community.

"I expect the cleanup to take a long time," Seggos said.

TIMES UNION

N.Y. asks EPA to cover costs for Hoosick Falls PFOA response

Announcement comes as hearings on water contamination crisis in Rensselaer County begin

By Claire Hughes

Updated 11:40 am, Tuesday, August 30, 2016

ALBANY — The heads of New York's environmental and health agencies made an official request to the Environmental Protection Agency Tuesday, asking that the federal government reimburse the state for the costs of responding to the water contamination in Hoosick Falls that will not ultimately be paid by companies responsible for the pollution.

The announcement comes as State Environmental Commissioner Basil Seggos and Health Commissioner Howard Zucker are set to testify at state senate hearings about the PFOA crisis in Rensselaer County.

The state has incurred close to \$25 million and anticipates at least \$50 million in additional costs in the coming years, according to a joint statement from the departments of Health and Environmental Conservation. Anticipated ongoing costs include those for biomonitoring, installation and ongoing maintenance of home point of entry water treatment (POET) systems, full site remediation, and identification and connection to a permanent alternative water supply for the town.

In a letter to EPA Administrator Gina McCarthy, Seggos and Zucker said changing, conflicting

guidance from the EPA about the contaminant perfluorooctanoic acid, or PFOA, worsened the problems in Hoosick Falls, resulting in undue public confusion and state expense.

"In a span of a few months, the EPA shifted their position repeatedly — changing the (health advisory) level from 400 parts per trillion to 100 parts per trillion in a single town, and then changing the national advisory level from 400 parts per trillion to 70 parts per trillion. In addition, the EPA has had different guidance for what to do when any of those levels are actually exceeded," said Commissioners Zucker and Seggos in the letter.

The Commissioners also requested that the EPA provide standardized guidance for when a water system should be taken offline and when bottled water should be provided in the case of an exceedance of a health advisory level.

NY POST

State blames feds for upstate water-contamination crisis

By Kirstan Conley

August 30, 2016 | 10:21pm

State health officials on Tuesday blamed the feds for an upstate water-contamination crisis, claiming the Environmental Protection Agency offered “confusing” guidance on drinking-water safety.

Their assessment came in a state Senate hearing on the contamination in Hoosick Falls, a village 35 miles northeast of Albany where a toxic chemical called perfluorooctanoic acid, or PFOA, has been found in the water supply.

State and local officials have come under fire for their handling of the crisis, including taking over a year to instruct residents not to drink the tainted water.

“In this case, the EPA made the situation worse by failing to regulate PFOA for 15 years and then changing the recommendations on how to handle PFOA contamination,” Commissioner Basil Seggos of the state Department of Environmental Conservation charged.

EPA Region 2 administrator Judith Enck responded: “There is a clear paper trail where EPA was recommending not drinking the water, and the state was not in agreement.”

TWC NEWS

Hoosick Falls, Petersburg Residents to Speak: Senate Hearings on Water Contamination Crisis

By Katie Eastman

Updated Tuesday, August 30, 2016 at 05:54 PM EDT

Tuesday is a day many people in Hoosick Falls have been awaiting for months -- the chance to tell their stories to state officials, after learning their water supply was contaminated with a potentially dangerous, cancer-causing chemical. Katie Eastman has more on the State Senate hearing from Hoosick Falls High School.

The first people to testify on Tuesday morning were the man who discovered PFOA in the drinking water and the doctor who believed him.

Michael Hickey has told his story hundreds of times, but Tuesday was different. He choked up throughout his entire testimony.

"Sorry; I thought I'd be better at this by now," Hickey said, wiping away tears.

He made the discovery of PFOA in the village's water in August of 2014 after too many loved ones had died of cancer; first his teacher, then his father.

"The thing I went back to about my dad was ... what would he have wanted me to do?" Hickey said about his father.

State senators asked the Department of Health Commissioner, Howard Zucker, why he didn't react more quickly to what Hickey found. Zucker says there was communication with village officials throughout 2015, but since the EPA didn't have federal guidelines on PFOA levels, they didn't advise people to stop drinking the water.

"We need to turn toward the federal government [for] what the numbers should be, and that requires them to give us the science, and we will follow appropriately," said Zucker.

Many of the questions lawmakers had were for the EPA and the local companies who used to use the chemical in manufacturing. But as one state senator from central New York said, Tuesday's hearing was like a wedding without the groom.

No one from the EPA, Saint Gobain, Honeywell or Taconic Plastics attended.

"Frankly, I'm disappointed with the EPA," said State Senator Kathy Marchione.

Zucker says the state has already spent \$25 million on the contamination, and they expect it to cost millions more.

The village no longer has levels of PFOA in the water because of a filter, and Hickey hopes this hearing brings some closure to a story that's brought so much heartache.

"I'm really hoping this is about the end for me," he said.

Both the Senate and Assembly will hold joint hearings on statewide water quality issues next month.

TIMES UNION

Hoosick Falls residents distrust government in PFOA crisis

Voices, young and old, speak out against Rensselaer County tainted water

By Wendy Liberatore

Published 11:10 pm, Tuesday, August 30, 2016

Hoosick Falls

After a day of Senate hearings over the community's contaminated water, a 10-year-old girl ended the session by asking, "Is my health going to change because of PFOA?"

State Sen. Kemp Hannon could not answer her question on perfluorooctanoic acid or PFOA in her drinking water but said, "I hope we do a better job."

Ashlynn Sagendorf, who drank the water in Hoosick Falls for six of her 10 years, said she decided she wanted to testify at the hearing conducted by Senate's Health and Environmental Conservation committees after sitting through the day's nearly 10 hours of testimony from experts, some of whom she said "didn't tell the truth."

The hearing ended with people telling personal stories to the few lawmakers who remained, including Health Committee Chairman Hannon, Sen. Kathy Marchione, who represents the district, and fellow Republican Sens. Tom O'Hara and Betty Little.

The residents spoke of declining health and loss of home value; and everyone echoed the theme of distrust of the state Department of Health and Gov. Andrew Cuomo.

Among them was Rob Allen, a Hoosick Falls teacher and resident, who accused the department of "talking down the risks" of the PFOA-poisoned water. He said the state's response was "horribly sluggish" and that it "systematically failed to do what is needed."

Allen was concerned with the PFOA-level in his two-year-old daughter's blood. She was tested at 100 parts per trillion, twice his level.

"We have raised a generation of children in Hoosick Falls who don't trust the government," said Allen. "As an adult, we will not stop until the truth is out there."

Marion Stevens spoke of her husband Harold, who was always healthy and took care of himself. About a year ago, he developed a mysterious illness that no doctor can diagnosis. She said he can't eat, he has trouble breathing, his bones and muscles ache, he can barely walk, but he goes to work every day so that he doesn't lose the family's health insurance.

"He looks terrible," said Stevens. "We have spent \$8,000 on medical expenses already. And still, we have to go to Tops every day to buy water by the jug."

Stacey Parker said she has had two types of cancer and celiac disease, her seven-year-old child was diagnosed with an auto-immune disease, and her dog was euthanized because he had tumors over his body.

"I thought it was just bad luck," said Parker. "But now I have a blood test showing PFOA. It's been stressful beyond believe belief."

Many held back tears. Other gritted their teeth as they addressed the panel. Loreen Hackett said she spoke for the town of Hoosick Falls when she called Health Commissioner Howard Zucker "the devil."

"All I have heard today are elected officials bouncing the ball back and forth," said Hackett. "If any took five minutes to do a Google search on PFOA, they could have easily found there were health hazards. Nobody has done their jobs."

Marchione, speaking after the hearing, said she would like to create a task force, including residents, to come up with a plan to tackle the PFOA problem.

But when asked what she can specifically do now, she said, "I am an advocate. I have been here from the beginning."

Public speaks out during Hoosick Falls water hearing

WGRB

BY EMILY DEFECIANI TUESDAY, AUGUST 30TH 2016

HOOSICK FALLS -- "I think that we worked extremely hard on this and I'm extremely proud of the team," said New York State Department of Health Commissioner Howard Zucker.

"This comes right from the heart of our town: Mr. Zucker you are the devil," said Hoosick Falls resident Loreen Hackett.

Hoosick Falls residents up in arms over PFOA contaminated water in their neighborhoods didn't hold back Tuesday at the first State Senate hearing on the crisis.

"This should be about corporate pollution, but from my perspective it's not. Today, for me, it's about the horribly sluggish state response to this crisis," said Hoosick Falls resident Robert Allen.

Again, they asked government officials the questions they've been wanting answers to for too long: who knew what when?

"Nobody's done their job," Hackett said.

Some found the hearing to be nothing more than a blame game.

"All I've heard today is bounce the ball back and forth," Hackett said.

Specifically between the DOH, that had members in attendance and the Federal EPA that did not.

"The EPA first learned about PFOA concerns in 2001 and they waited until 2009 to set an advisory level, not a regulation," Zucker said.

The DOH Commissioner argued the EPA had changing and conflicting safety guidelines.

"That exacerbated the situation in Hoosick Falls by confusing state and local officials," Zucker said.

Though not at the hearing, EPA Regional Administrator Judith Enck was quick to fire back in an interview with us.

"The State Health Department was not confused at all. They simply disagreed," Enck said.

Senator Kathy Marchione expressed disappointment that not a single representative showed from the EPA, but the agency says it typically only attends federal hearings.

"There are important questions for the EPA to address and answer and I believe it's a disservice that they're not here," she said.

The Senators at the hearing say in addition to finding out what went wrong, they want to create a better plan for handling future crises, so that residents like Robert Allen no longer need to pray for their PFOA contaminated children.

"Dear Lord, please help Emma sleep, get rest, grow strong, and be cleansed of PFOA," Allen said.

At the hearings, the DOH announced it is calling on the EPA to reimburse the state on any costs it's not able to regain from the polluters - Saint Gobain, Honeywell, and Taconic Plastics. The Commissioner says those costs have already exceeded \$25 million dollars and he expects that number to keep growing.

Those dealing with impacts of PFOA in Hoosick Falls want action, answers

By Rachel Yonkunas and Lindsay Nielsen

Published: August 30, 2016, 3:52 pm Updated: August 30, 2016, 6:17 pm

HOOSICK FALLS, N.Y. (NEWS10) – The first of three highly anticipated Senate hearings on water contamination began in Hoosick Falls on Tuesday.

Many in Hoosick Falls made their way to the high school auditorium for the Senate Hearings to

hear answers to why village, county, and state officials didn't tell them to stop drinking PFOA-contaminated water when they were made aware of the issue.

Village Physician Dr. Marcus Martinez and hailed hero Michael Hickey were the first among a list of speakers.

Hickey held back tears as he relives his father's sickness. He worked at Saint Gobain for 32 years but passed away from kidney cancer.

This prompted Hickey to test for PFOA and ultimately discover the contamination in 2014.

"I understand people who were upset with me that worked at Saint Gobain. They were worried about their jobs about economic growth, but I kept thinking back to my dad and what he would have wanted me to do," Hickey said.

One question about the state's handling of PFOA contamination here has been whether people living here were properly made aware of the risks.

New York State Health Commissioner Dr. Howard Zucker explained the toxic chemical is not regulated and the state was following an EPA advisory level and did not believe there was a health concern.

"What we said always was that you should minimize your exposure to PFOA," Zucker said.

Senator John DeFrancisco from Syracuse challenged that comment.

"Health effects are not expected to occur from normal use of the water. That was the statement and was included in the Department of Health long term fact sheet on December 18, 2015."

Donald Smith, 75, who's lived in the village all his life and worked at Saint Gobain says hearing the 2014 and 2015 dates again about meetings held between agencies about the problem was almost too much to bear.

"It hurts my feelings in a way, the way things were handled earlier and when they knew about what was going on a year and a half and couldn't tell the people you know I mean it makes you cry. It does," Smith said.

"It seems like everyone is going after the EPA and they're not here," Loreen Hackett, a Hoosick Falls resident, said, "DOH Commissioner Zucker pretty much glossed over the answers."

Zucker said he heard concerns from residents over the matter. DOH Deputy Commissioner Brad Hutton says the agency based the number on an EPA health advisory level.

The EPA was not at the hearing, but they say the information did not come from the EPA.

Personal stories of loss and what's to come in Hoosick Falls

WNYT

August 31, 2016 03:46 AM

HOOSICK FALLS – School doesn't start for another week but so many that have learned so much about PFOA recently gathered for an assembly at Hoosick Falls Central School as the NYS Senate came to town.

With Sen. Kemp Hannon, Chair of the Senate Health Committee, and Sen. Thomas O'Mara, Chair of the Senate Environmental Conservation Committee, along with State Senators Kathy Marchione and Betty Little among the panelists, the evening session welcomed residents of Hoosick Falls and Petersburg to offer testimony on how this was handled and what could and should be done.

"I'll donate my body to science," said Emily Marpe of Petersburg, only half kidding. "They can have it when I'm dead and gone because they need to learn more."

"My trust has melted for our officials," said Marion Stevens, who documented how her husband went from walking over 10,000 steps a day to just a few before he is winded. He was too tired and didn't have any taste for the New Year's Prime Rib dinner she made.

Voices from all walks of life telling a common story of learning about and dealing with PFOA and water contamination. The compound used for Scotch Guard, Teflon and Gore-Tex to make things in life easier has made life anything but easy for those gathered in the auditorium.

"The village municipality, NYS Dept. of Health and EPA all need to be held accountable for the 18 months that could have made a difference to so many people," said Kathy Lingener.

"We came to Hoosick Falls to raise our family, what did we do?" said Marion Stevens after she said she learned the news during a meeting at her church. For most of the day, she sat and listened and knitted an afghan blanket for a friend's newborn. She facetiously said thanks to the panel for letting her finish the blanket, saying she went through skeins of yarn.

Marpe said she named her home "Cloud 9" because that's what her family does – names their home. When she moved from a two bedroom trailer to her home on a couple of acres in Petersburg in 2011, she thought she had. She was raising seven kids – two of her own and five step – on \$28,000 a year. And then she learned about PFOA and other contaminants. She says her skin crawls when she pulls into her own driveway.

"When my daughter decides to have children, will she have them?" she asked rhetorically. "Will they be born with birth defects? My son, will he get prostate cancer early. I shouldn't have to worry about these things, I'm 34-years old."

Laureen Hackett went so far as to call Dr. Howard Zucker, the State Health Commissioner, "the devil" for not taking responsibility and just blaming the EPA and calling drinking the water a "personal choice." Zucker testified with an entourage that included several staffers and deputy commissioners.

"I've sent e-mails up the wazoo," said Hackett.

Robert Allen is a teacher in the Hoosick Falls Central School who put prepping for the new school year on hold so he could prep for the hearing at his school. He called the response from the Governor and his commissioners "farcical." Then, fighting back tears, he told a story of what he says to his two-year old daughter as he carries her to bed each night to put her to sleep, saying this prayer: "Dear Lord, please help (her) sleep, get rest, grow strong and be cleansed of PFOA."

A hydrologist also had a slide up on the screen on stage that, among other things, warned of PFOA and PFOS, Perfluorinated Compounds that said: "Stable, persistent, mobile, toxic, both water and oil resistant, ubiquitous in environment, limited treatment technologies, specialized sampling and laboratory analysis, geology and hydrogeology are critical and not going away anytime soon."

Neither are the residents. The next meeting is in Albany September 7.

New York state Senate panel meets in Hoosick Falls

By Edward Damon

benningtonbanner.com

POSTED: 08/30/2016 05:57:22 PM EDT

PHOTO Dr. Marcus Martinez describes how PFOA affected his patients who were diagnosed with cancer, allegedly caused by PFOA contamination. (Holly Pelczynski — Bennington Banner)

HOOSICK FALLS, NY — A hearing by a state Senate panel that collected testimony and examined the water crisis on Tuesday lasted nearly 10 hours.

Senators questioned what specific steps environmental and health agencies took after PFOA was found in local water supplies.

State officials defended their actions, praised their staff, and criticized the federal government for its "shifting" and "confusing" guidance. The state's environmental and health agencies issued a joint statement Tuesday morning, demanding the Environmental Protection Agency reimburse the state for costs that polluters don't pay.

But numerous individuals who testified had a simple question: Why were residents allowed to drink the water for a year or longer after people in charge learned it had a chemical that several years before, had been linked to cancers and other diseases?

"It wasn't an amazing discovery, what we found here," said Michael Hickey, a resident who is credited with sounding the alarm in 2014. Hickey and others testified that the information from an independent science panel was easily accessible. "It was a five-minute Google search."

The state Department of Health knew there were "unanswered questions" when the man-made chemical was found in drinking water in 2014, said state Sen. Thomas O'Mara (R, C, IP-58th District). "I don't understand, short of a no-drink order, why there wasn't a warning sent out that

said "We don't know what these levels mean."

Advertisement

O'Mara, chair of the Senate's environmental committee, and state Sen. Kemp Hannon, who represents the 6th District and chairs the health committee, pointed to inconsistencies in a fact sheet DOH issued in December that states, in part: "We [DOH] do not expect health effects to occur from normal use of the water."

"It was not as definitive as what it could have been," Hannon said.

Information from the EPA led to confusion, DOH Commissioner Howard Zucker said. A no-drink order for Hoosick Falls, which EPA Region II Director Judith Enck issued in late 2015, represented "a dramatic change in approach and policy... Everything was moving forward and suddenly, there was a shift that caused confusion," Zucker said.

But Enck disagrees with that categorization.

"There was no confusion," she told the Banner via conference call. But she said there was a disagreement between the state and the EPA, on whether or not residents should stop drinking the water.

PHOTO Howard Zucker, commissioner for the New York Department of Health, addresses the Senate panel at the Hoosick Falls Central School District on Tuesday. (Holly Pelczynski — Bennington Banner)

Dozens of people gathered in the Hoosick Falls Central School on Tuesday for Senate hearings that delved into the water contamination from PFOA, or perfluorooctanoic acid. The man-made chemical was used for decades when making Teflon products like tapes, foams, coated glass and wire insulation. In Rensselaer County, it's been found in public and private water supplies in: Hoosick and Hoosick Falls; Petersburg; and Berlin. And in a new development, the DEC on Monday declared former municipal landfills in Berlin, Hoosick Falls and Petersburg, as potential Superfund sites after high levels were found.

The panel of seven senators collected testimony from 17 people who registered, a collection of state and county health and environmental officials, officials from affected municipalities, residents, a scientist, and Robert Bilott, an attorney who represented residents in lawsuits against DuPont.

Multiple senators said they regretted that EPA representatives did not attend. Also absent were representatives from Saint-Gobain and Honeywell International, the companies being ordered to clean up contamination in Hoosick, and Taconic Plastics, blamed for PFOA in Petersburg and Berlin. EPA and Saint-Gobain did submit testimony.

PHOTO Hoosick Falls resident Michael Hickey describes his experiences with PFOA and talks about the loss of his late father, who died of kidney cancer. (Holly Pelczynski — Bennington Banner)

The companies agreed to pay for water filters on private wells and on municipal systems; state and private contractors installed them. But residents testified they don't trust the government,

the companies, and the water coming from their faucets.

"No one in my house drinks the water. Not even the dog," said Michele Baker, whose home in Hoosick Falls is served by a well. She said the water has only been tested once and she is worried that PFOA coats indoor plumbing. Baker is named in a class action lawsuit against Saint-Gobain and Honeywell,

Over 1,000 people have had their blood tested for PFOA. Emily Marpe of Petersburg, and her two children, are among them. Marpe testified her level of 322 micrograms is higher than some factory workers.

"I'm not the same person I was seven months ago," she said.

Kathy Lingener of Hoosick Falls said she believes the village made a conscious decision to put the economic development above the health of its residents. She called the DOH staff who were dispatched to the village "disappointing."

"They were there with a script to read," she said. "That's not help. That's DOH covering their bases."

As the hearings were underway, DEC and DOH announced it had demanded the EPA reimburse the state for what it has spent if it's not paid by the companies. Zucker and DEC Commissioner Basil Seggos, in a letter to EPA Director Gina McCarthy, said the state has already spent \$25 million and that officials expect those costs to rise above \$75 million.

A "lack of clear direction and... differing direction caused our agencies great hardship in responding to the situation" and "caused great public concern, frustration and anxiety," the letter states.

Zucker testified for nearly two hours and repeatedly cast blame on the EPA. The agency studied PFOA for years before it issued a provisional health advisory of 400 parts per trillion (ppt) in 2009, he said. It was reduced to 70 this year.

"What confused us is that they never mentioned 'don't drink the water' above a certain level, and now they do," Zucker stated.

"It's a preposterous, desperate argument," Rob Allen, a teacher at the school who testified in the late afternoon, said about the DEC and DOH testimony. He testified with a Powerpoint presentation that traced a timeline using emails since 2014 released from information requests, and using photos of his now two-year-old daughter. Allen said that health officials "talked down" the dangers of drinking the water. He called the response time "reprehensible." He also criticized the timing of Gov. Andrew Cuomo's first visit to the village: The Sunday morning after Saint Patrick's Day.

Enck, whose agency issued a letter to the senators, said the EPA does take its time when setting advisories. "But it's not fair to say the EPA caused confusion," she said. And DOH could "easily follow a health advisory changing from 400 to 70 ppt."

And Enck said she was "a little surprised that New York may already be throwing in the towel" in pursuing polluters. She noted the Superfund law requires polluters to pay for cleanup and

related costs, not taxpayers.

Elected officials in the affected communities expressed frustration over the dispute between DOH and DEC, and the EPA. Hoosick Town Supervisor Mark Surdham and Hoosick Falls Village Mayor David Borge told senators they were concerned over how municipalities would cover the costs until the companies reimburse them. The municipalities have retained attorneys and communications specialists. Village office staff were given a payout of vacation time earlier this summer after not taking any time off.

AP

NY health commissioner: State acted properly on tainted water in Hoosick Falls

August 30, 2016 10:21 PM

HOOSICK FALLS, N.Y. (AP) - The state followed federal guidelines in addressing industrial chemical contamination of a village's drinking water, but the Environmental Protection Agency gave "confusing, changing and inconsistent guidance," New York Health Commissioner Howard Zucker said Tuesday.

At a state Senate hearing on the state's handling of PFOA contamination of the municipal water supply in Hoosick Falls, Zucker said EPA guidelines on maximum levels of the Teflon-related chemical in drinking water are intended to trigger action to reduce it, not to warn against drinking the water.

Zucker made the comments when asked why his agency told Hoosick Falls residents no health impacts were expected from drinking municipal water even after tests showed levels of PFOA above 600 parts per trillion, well above the EPA's guideline of 400 ppt for short-term exposure.

He said his agency had a solution well underway when EPA Region 2 Administrator Judith Enck "out of left field" told residents not to drink the water in December 2015.

In a phone interview later Tuesday, Enck said her agency had been advising state health officials since October 2015 to tell Hoosick Falls residents not to drink or cook with their tap water. When state officials declined to do so, saying the 400 ppt had a "built-in margin of safety," Enck issued a do-not-drink advisory to residents with full cooperation of EPA officials in Washington, she said.

Hoosick Falls residents have accused Democratic Gov. Andrew Cuomo's administration of taking too long to warn them against drinking water contaminated with perfluorooctanoic acid, or PFOA, which was used for decades in the manufacture of Teflon and other nonstick coatings but was phased out after being linked to cancer and other ills.

The state Department of Environmental Conservation is holding St. Gobain Performance Plastics and its plant's predecessor, Honeywell International, liable for cleanup costs in the upstate New York community, including installing temporary filtration systems and developing a new water supply.

On Tuesday, DEC and the Health Department sent a letter to EPA Administrator Gina McCarthy

requesting that the agency reimburse New York state for any costs incurred for the Hoosick Falls cleanup not ultimately paid by the polluters, saying "changing, conflicting guidance" from EPA about PFOA resulted in "undue public confusion and the marshaling of unprecedented state resources."

The letter referred to the fact that EPA had set a level for short-term exposure to PFOA of 400 ppt in 2009 and issued a long-term exposure level of 70 ppt in May 2016. While the long-term exposure level was being finalized, EPA advised cleanup efforts in New York to set a target of no more than 100 ppt.

"EPA had a very transparent process over five years that the drinking water level was going to be revised," Enck said. "It's unclear why that would have resulted in the state of New York incurring additional costs."

Enck noted that the Superfund law says the polluter, not federal taxpayers, must pay for the full cost of cleanup.

The contamination was uncovered in 2014 by Michael Hickey, a resident concerned about his village's perceived high cancer rate. In emotional testimony at Tuesday's hearing, Hickey talked of his father's death from kidney cancer after 32 years of working at the village plastics factory. He said it took "a simple Google search" for him to learn about PFOA's link to kidney cancer, and it shouldn't have taken so long for officials to warn people about the chemical in their water.

"They were in the wrong," Hoosick Falls resident Laura Peabody said after Zucker's testimony. "They weren't on top of it in the beginning. They didn't have answers for us. They left us in a frenzy, and that's not OK."

POLITICO

Cuomo administration requests compensation from EPA for Hoosick Falls costs

By Scott Waldman

08/30/16 11:33 AM EDT

HOOSICK FALLS — The Cuomo administration is requesting the U.S. Environmental Protection Agency pay for its "counterproductive" response to the Hoosick Falls water pollution crisis.

As state legislators began hearings on the Hoosick Falls water pollution crisis on Tuesday, state Department of Environmental Conservation commissioner Basil Seggos and Department of Health commissioner Dr. Howard Zucker sent a letter to the U.S. Environmental Protection Agency demanding reimbursement of continuing costs related to the mishandling of the crisis.

Story Continued Below

"We believe the EPA's handling of this matter aggravated the situation, causing undue expense to our agencies, and the EPA should reimburse the state for the extraordinary costs incurred due to the EPA's mishandling," Zucker and Seggos wrote. "We estimate that cost to be almost

\$25 million to date to our taxpayers, with at least \$50 million in costs over the coming years.”

The Cuomo administration claims the EPA used a shifting set of guidelines for recommended safety levels. Of 85,000 unregulated contaminants, the Obama administration has only regulated about 100, they note in the letter.

The Cuomo administration has also been accused of mishandling the crisis, including an extensive delay in notifying the public that the municipal water supply was polluted with a cancer-linked toxic chemical. The letter repeats the administration’s stance that it responded “immediately and aggressively” to address public health concerns.

POLITICO has reported that the Cuomo administration aggressively pushed back on EPA officials raising concerns about the water pollution crisis. State officials also suggested a months-long delay in publicly reporting the PFOA pollution.

The letter from Zucker and Seggos blames confusion squarely on the EPA. They contend that the Obama administration has used shifting guidance levels, making it challenging for states to respond properly to PFOA pollution.

“The EPA must provide clearer guidance about when a water system should be taken offline—or when bottled water should be provided—in the case of an exceedance of a maximum contaminant level or a non-binding health advisory level,” they wrote.

Both Zucker and Seggos are expected to testify at today’s hearing on Hoosick Falls. The EPA did not send a representative.

TIMES UNION

N.Y. asks EPA to cover costs for Hoosick Falls PFOA response

Announcement comes as hearings on water contamination crisis in Rensselaer County begin

By Claire Hughes

Updated 11:40 am, Tuesday, August 30, 2016

ALBANY — The heads of New York’s environmental and health agencies made an official request to the Environmental Protection Agency Tuesday, asking that the federal government reimburse the state for the costs of responding to the water contamination in Hoosick Falls that will not ultimately be paid by companies responsible for the pollution.

The announcement comes as State Environmental Commissioner Basil Seggos and Health Commissioner Howard Zucker are set to testify at state senate hearings about the PFOA crisis in Rensselaer County.

The state has incurred close to \$25 million and anticipates at least \$50 million in additional costs

in the coming years, according to a joint statement from the departments of Health and Environmental Conservation. Anticipated ongoing costs include those for biomonitoring, installation and ongoing maintenance of home point of entry water treatment (POET) systems, full site remediation, and identification and connection to a permanent alternative water supply for the town.

In a letter to EPA Administrator Gina McCarthy, Seggos and Zucker said changing, conflicting guidance from the EPA about the contaminant perfluorooctanoic acid, or PFOA, worsened the problems in Hoosick Falls, resulting in undue public confusion and state expense.

"In a span of a few months, the EPA shifted their position repeatedly — changing the (health advisory) level from 400 parts per trillion to 100 parts per trillion in a single town, and then changing the national advisory level from 400 parts per trillion to 70 parts per trillion. In addition, the EPA has had different guidance for what to do when any of those levels are actually exceeded," said Commissioners Zucker and Seggos in the letter.

The Commissioners also requested that the EPA provide standardized guidance for when a water system should be taken offline and when bottled water should be provided in the case of an exceedance of a health advisory level.

As hearing convenes, state calls on EPA to pay for Hoosick Falls cleanup

By Casey Seiler, Capitol bureau chief on August 30, 2016 at 11:18 AM

As two state agency chiefs prepared to testify before Senate hearings on the PFOA crisis in Rensselaer County, they issued a call for the Environmental Protection Agency to reimburse New York for "any costs incurred during the response to the situation in Hoosick Falls that are not ultimately paid by the polluters."

In the letter, Basil Seggos of the Department of Environmental Conservation and Howard Zucker of the Department of Health cited what they characterized as "changing, conflicting guidance from the EPA about PFOA [that] exacerbated the challenge in Hoosick Falls, resulting in undue public confusion and the marshaling of unprecedented state resources in order to adapt to the EPA's shifting advisories and recommendations."

This is the second release in as many days from the state as the hearing approached. On Monday, DEC announced that municipal dumps in Hoosick Falls and nearby Petersburg-Berlin had been determined to be "potential" Superfund sites.

DEC claimed on Monday that the imminent hearing had no impact on the announcement.

New York has already installed filters on municipal as well as private water systems in and around Hoosick Falls. The potential cost of finding a new water source for the affected communities is expected to be far higher.

More from the state's release:

"In a span of a few months, the EPA shifted their position repeatedly – changing the level from

400 parts per trillion to 100 parts per trillion in a single town, and then changing the national advisory level from 400 parts per trillion to 70 parts per trillion. In addition, the EPA has had different guidance for what to do when any of those levels are actually exceeded,” said Commissioners Zucker and Seggos in the letter. “This generated undue public anxiety and different strategies and deployments for our agencies, resulting in the state marshaling unprecedented resources in order to adapt to the constantly shifting guidance and recommendations from the EPA. As a result, the EPA should reimburse the State for any costs not ultimately borne by the responsible parties.”

To date, the state has already incurred close to \$25 million and anticipates at least \$50 million in additional costs in the coming years, including biomonitoring, installation and ongoing maintenance of home point of entry water treatment (POET) systems, full site remediation, and identification and connection to a permanent alternative water supply. The state remains fully committed to holding the responsible parties accountable for their actions.

Given the EPA’s conflicting and inconsistent recommendations, the Commissioners also requested that the EPA provide standardized guidance for when a water system should be taken offline and when bottled water should be provided in the case of an exceedance of a health advisory level.

These requests were made in this letter to EPA Administrator Gina McCarthy.

TIMES UNION

DEC’s Seggos continues criticism of EPA over Hoosick Falls response

By Matthew Hamilton on August 30, 2016 at 2:23 PM

In remarks similar to those of the state Department of Health commissioner, Department of Environmental Conservation Commissioner Basil Seggos bashed the U.S. Environmental Protection Agency on Tuesday for creating confusion during the Hoosick Falls water contamination crisis.

At a state Senate hearing in the village on water quality issues, Seggos and Health Commissioner Howard Zucker followed closely Gov. Andrew Cuomo’s administration’s belief that while the state response to the crisis has been adequate, the EPA’s actions have led to complications and confusion among residents.

“In this case, the EPA made the situation worse by failing to regulate PFOA for 15 years and then changing the recommendations on how to handle PFOA contamination and offering guidance from the region that conflicted with guidance from headquarters,” Seggos said.

He later added that EPA must set national standards for contaminant exposure.

“As we’ve said as we joined with other states — including Vermont, which had set their own value at 20 parts per trillion — the EPA has to be in the lead on setting drinking water guidance values for all of the country, not just for one town or one state or one region,” Seggos said.

Seggos maintained that if residents wish to have their private wells tested on a regular basis, they can ask for such action from the state.

He said that emissions testing at the Saint-Gobain Performance Plastics plant has found emissions below maximum levels in recent months. The site of that factory in the village of Hoosick Falls was declared a Superfund site in January.

As such, Seggos maintained that polluters in this area of northeastern Rensselaer County will be held responsible.

While DEC's work is ongoing, Seggos predicted it would be addressing the contamination in Hoosick Falls for some time.

"I expect the cleanup to a long time," he said. "I expect us to be able to protect the public well in advance of that though. We're already doing that now obviously with a treatment system in place. There's a more robust treatment system coming online soon. We have the ultimate water supply study that we will be wrapping up soon. ... So the actual drinking water situation will be resolved well before the cleanup is finished."

Discussing other sites of possible contamination, Seggos said DEC cannot say for certain without further testing which of the 2,500 potential users of PFOA or PFOS in New York that it has identified may have polluted the areas they are based in.

Both Seggos and Zucker touted the state's new rapid response team created to address water contamination issues quickly.

POST STAR

State asks feds for PFOA cleanup reimbursement

White Creek meeting set; Senate hosts hearing in Hoosick Falls

MICHAEL GOOT

20 hrs ago

HOOSICK FALLS — State health and environmental officials are asking the federal government to reimburse New York for cleanup costs associated with PFOA contamination not paid for by polluters.

The state Department of Environmental Conservation and state Department of Health have sent a letter to the federal Environmental Protection Agency seeking reimbursement for costs associated with the cleanup of the contaminant.

The state has spent \$25 million to date on remediation of PFOA pollution in drinking water, and officials anticipate spending an additional \$50 million, according to a news release issued Tuesday.

The state has reached a settlement with the Saint-Gobain corporation for cleanup costs associated with PFOA pollution of drinking water in Hoosick Falls, Petersburg and other areas. PFOA is a chemical used in the manufacture of nonstick coatings.

DEC Commissioner Basil Seggos and DOH Commissioner Howard Zucker cited conflicting guidance from EPA, which changed the PFOA contamination threshold from 400 parts per trillion to 100 parts per trillion, and changing the lifetime exposure advisory level to 70 parts per trillion.

“This generated undue public anxiety and different strategies and deployments for our agencies, resulting in the state marshaling unprecedented resources in order to adapt to the constantly shifting guidance and recommendations from the EPA,” the commissioners said in the letter. “As a result, the EPA should reimburse the state for any costs not ultimately borne by the responsible parties.”

The announcement Tuesday came on the day that the Senate health and environmental conservation committees held a joint hearing on the PFOA issue at Hoosick Falls High School.

Hoosick Falls resident Michael Hickey spoke emotionally at the hearing. After the death of a local teacher, Hickey said he looked into what could be causing what people in the village believed was a disproportionately high number of cases of cancer. He researched online and found information about PFOA, which had been linked to cancer.

His father, who worked in a Teflon plant and also was a school bus driver, also died after an instance of kidney cancer returned.

Hickey said it has been a difficult process, and he understands that people were upset with him at the beginning for raising this issue because it could hurt local industry.

“I think back to my dad and think what he would have wanted me to do. I think it goes back to the kids on the bus,” Hickey said, taking a long pause. “For him, that was his family as well. And I think that what he would have wanted was to protect them.”

Commissioner Zucker said the health effects of exposure to PFOA are not certain. That is why more study is needed. The department is in the middle of compiling a report about instances of cancer in Hoosick Falls from 1995 to 2013, according to Zucker.

“I really feel for everyone’s whose (PFOA) numbers are higher. We can’t give you information predicting what will happen in the future,” he said.

Lawmakers wanted to know how the different standard came into being. Zucker said it came “out of left field” when the EPA in December issued an advisory for Hoosick Falls residents not to drink the water. This was after the EPA first learned of the chemical in 2001, but did not phase out its use in industry until 2006 and did not issue any drinking water guidelines until 2009.

Then, in January the EPA for this region of the country settled on the 100 parts per trillion standard.

In May, the EPA issued a new health advisory indicating a lifetime exposure to PFOA limit of 70

parts per trillion.

Sen. Elizabeth Little, R-Queensbury, agreed that it was confusing to have different standards.

“Does every region take the EPA guidelines and do what they think is best with them?” she said.

State Sen. Kathy Marchione, R-Halfmoon, said she has two bills in the legislative session for medical monitoring as well as a property tax reduction bill for people in Hoosick Falls for an extended period of time.

Not present at the hearing were any representatives from the EPA nor anyone from the Saint-Gobain, Taconic Plastics or Honeywell companies.

This was the first of three hearings that will be held on the PFOA issue. The next two will be hosted by the Assembly. One will take place on Sept. 7 at 11 a.m. at the Legislative Office Building in Albany and the other one will take place on Sept. 12 on Long Island.

State Sen. John DeFrancisco said he is concerned about a lack of transparency.

People have filed Freedom of Information Law requests dating back to December seeking information about whether the water is safe to drink and have not received answers.

DeFrancisco said he wants to know the facts upon which DOH is basing its conclusion in its fact sheet that “we do not expect health effects to occur from the normal use of water.”

Zucker said he would check into the matter.

White Creek meeting

Another town affected by PFOA contamination, White Creek in Washington County, is setting up a meeting for people affected by PFOA contamination of wells in that town. The meeting is aimed at addressing residents' questions and concerns.

The meeting is tentatively scheduled for 6 p.m. Sept. 14 at Cambridge Central School.

State health and environmental conservation representatives are planning to attend, according to town Supervisor Robert Shay. County representatives will likely be present, too, Shay said.

The state Department of Health has found concentrations of the chemical at levels above the Environmental Protection Agency's advisory limit of 70 parts per trillion in 27 of the 126 well samples in southern Washington County. That figure was as of Aug. 10 and more recent numbers were not immediately available.

The state has installed filtration systems to remove the PFOA from the water.

Shay said he hopes the meeting will answer some of the questions that residents have, including why some residents have the contamination in their wells and their neighbors may not.

The source of the PFOA contamination in White Creek has not been determined.

WRGB

DEC asking for EPA to pay for Hoosick Falls costs

BY WRGB STAFF TUESDAY, AUGUST 30TH 2016

ALBANY--The DEC and Department of Health are asking the EPA to foot the bill for response costs in Hoosick Falls.

They want the Environmental Protection Agency to cover expenses not paid by St. Gobain and Honeywell.

The state claims the changing guidance about PFOA from the EPA made the problem worse.

The DEC and DOH claim \$25 million in costs and expects the final bill to be at least \$50 million.

The EPA is not present at today's hearing, saying they say they usually only testify at federal hearings.

EPA a no-show at first hearing on PFOA contamination

By Carmen ChauPublished: August 30, 2016, 10:06 pm Updated: August 30, 2016, 11:22 pm

HOOSICK FALLS, N.Y. (NEWS10) – As several residents of Hoosick Falls demanded answers at the first state senate hearing, much of the blame has been placed on the EPA.

The village of Hoosick Falls has been anxiously waiting to get specific answers on why it took so long for the village to be informed of the high levels of PFOA in the water. People have expressed frustration and said the state waited more than a year to tell them to stop drinking the contaminated water.

The U.S. Environmental Protection Agency did not attend the senate hearing on PFOA contamination in Hoosick Falls on Tuesday. Many people, including state officials, are questioning the administration's responsibility in the matter.

Senate GOP Spokesman Scott Reif said their lack of an appearance gives the EPA a bad name. He released the following statement:

"It's pretty disingenuous for the EPA to be responding blow-by-blow to what is happening at the Senate's hearing on Hoosick Falls when they repeatedly declined our invitation to come and testify. This was the venue for the EPA to clarify its position and have a serious and honest dialogue with state Senators exploring ways to prevent this from happening again. Instead, they didn't show up. How does that help us achieve a positive result?"

In December 2015, a fact sheet from the New York State Department of Health stated health effects from PFOA exposure were not expected to take place from normal use of the water.

DOH Commissioner Dr. Howard Zucker said those facts were based on EPA standards.

When NEWS10 ABC reached out to the EPA over the phone, they said that wasn't true.

"I called the state health department and asked if they had any studies or data that they were basing that statement on," EPA Regional Administrator Judith Enck said. "They said they did not, and I suggested that they remove that from their fact sheet."

The New York State Department of Environmental Conservation and NYSDOH are now demanding reimbursement from the EPA for costs they incurred during remediation in Hoosick Falls.

"While the state of New York will be in discussion with the different polluters, it's too early for them to throw in the towel," Enck said.

The EPA said the state should be able to have those responsible to pay for the costs related to the contamination so that it does not come out of federal taxpayers' pockets.

The Hill

New York officials: EPA 'counterproductive' in water crisis

By Timothy Cama - 08/30/16 05:49 PM EDT

New York state officials claim the Environmental Protection Agency (EPA) has been "counterproductive" in its response to a drinking water contamination crisis in an upstate town.

In a Tuesday letter, a pair of officials appointed by Gov. Andrew Cuomo (D) accused the EPA of causing confusion in its guidances regarding perfluorooctanoic acid (PFOA), which has been found in elevated levels in the Hoosick Falls drinking water and has been linked to cancer and other serious illnesses.

"While we always try to work in partnership with the federal government, the [EPA's] role in the Hoosick Falls situation was certainly not helpful, and was, at times, counterproductive," Health Commissioner Howard Zucker and Environmental Commissioner Basil Seggos wrote to EPA head Gina McCarthy.

The commissioners claimed that the EPA's shifting guidance on the point at which PFOE levels become dangerous aggravated the situation.

"The statements and guidance from the EPA's regional office inexplicably differed from town to town in New York — not to mention from state to state. To further compound this confusion, the guidance from the EPA's regional office differed from the EPA's headquarters," they said.

Judith Enck, the EPA administrator for the region that includes New York, pushed back against the accusations.

"That's not accurate. There was no confusion, there was disagreement," Enck told The Hill.

She went on to say that the EPA changed its PFOA guidelines this year, but the process was very transparent, and state officials were well aware.

The EPA set a provisional level of safe lifetime exposure to PFOA in drinking water at 400 parts per trillion in 2009, according to the New York Times. In May of this year, the agency set a lifetime standard at 70 parts per trillion. The commissioners say in their letter that in January of this year, the EPA issued local guidance setting the level at 100 parts per trillion.

On Tuesday, the New York state Senate held a hearing in Hoosick Falls to investigate state and federal responses to PFOA, an industrial chemical used in nearby plants that manufacture products such as Teflon.

The crisis developed around the same time as the lead contamination crisis in Flint, Mich., which spurred new national attention on drinking water safety.

The state officials repeated their arguments in their testimony, with Seggos saying the EPA “made the situation worse,” according to the Albany Times-Union.

But the Cuomo administration has also been under fire, particularly for what some local and state leaders saw as a slow response to the crisis, the Times-Union said. The administration frequently pushed back against the EPA’s recommendations to take stronger action to protect the town’s residents.

In their Tuesday letter, the New York officials asked the EPA to reimburse the state for the at least \$50 million it expects to spend due to the EPA’s “mishandling” of the crisis.

Enck said that’s not a proper role for the EPA and that all of the pollution clean-up costs should be incurred by the parties who are deemed responsible for the pollution.

“We expect the polluter to pick up these costs, and not federal taxpayers,” she said. “I’m a little surprised that New York State may be throwing in the towel so early in trying to get the polluter to cover these costs.”

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Senators were disappointed that the EPA did not send a representative to the Tuesday hearing.

Instead, Enck submitted written testimony, defending the EPA’s actions and promising to stick with the state and Hoosick Falls throughout the process.

In addition to New York’s state legislature, the United States House Oversight Committee is investigating the Hoosick Falls crisis and the responses of state and federal officials.

Emotional testimony from those affected by PFOA fill state hearing

By Ayla Ferrone Published: August 30, 2016, 10:32 pm Updated: August 30, 2016, 11:18 pm

HOOSICK FALLS, N.Y. (NEWS10) – The people of Hoosick Falls and Petersburg finally got what they've been asking for – a legislative hearing.

Tuesday was the first of several state hearings that will be held in the coming weeks regarding the PFOA contamination crisis. It was a long day inside the Hoosick Falls High School auditorium. The hearing started at 10:30 a.m. and lasted nearly 10 hours.

The beginning of the day was filled with testimony from state officials and health experts, but the day ended with emotional stories from the people who have been hardest hit by the contamination.

"We've been violated," Emily Marpe, of Petersburg, said. "We are the victims."

Marpe's story has been told before, but for some listening on stage Tuesday, it was the first time they learned of the levels of PFOA in her drinking water.

"It was 2,100 parts per trillion," she said. "What do you do with that information? I'm higher than the entire town of Hoosick Falls."

Her daughter tested at 207 ppt for PFOA.

"My children are your guinea pigs," she said. "I'm your guinea pig."

Another familiar face at the hearing was Loreen Hackett. At times, she was unable to conceal her disgust with how the crisis was handled. At one point, she directed her anger at NYS Department of Health Commissioner Dr. Howard Zucker.

"This comes right from the heart of our town," she said. "Mr. Zucker, you are the devil."

Hackett said things need to be done to ensure a contamination doesn't happen again.

"We should have done better," she said. "We can do better. We need to do better."

Sen. Kathy Marchione, who sat intently and listened for 10 hours, echoed that concern.

"How do we go forward?" she positioned. "What happened? How can we do better?"

And Marpe is willing to do anything it takes.

"I'll donate my body to science," she said. "They can have it when I'm dead and gone because they need to learn more."

Another hearing is scheduled for the beginning of September in Albany. Marchione said she is continuing to push for a task force and has some legislation coming to the table.

POST STAR

Hoosick Falls residents with contaminated water speak at hearing

Updated 4 hrs ago

HOOSICK FALLS — A man who helped uncover drinking water contamination in an upstate New York village has given an emotional account of his father's death from cancer.

The water contamination in Hoosick Falls was revealed in 2014 by lab tests paid for by Michael Hickey, who was looking for answers after his father died of kidney cancer. Hickey's voice cracked several times Tuesday as he told state lawmakers about his experience.

Top Cuomo administration officials are expected to face questions from lawmakers later Tuesday regarding the state's response to drinking water contamination in the Rensselaer County village.

Also scheduled to testify are residents who have accused the administration of taking too long to warn people their water was contaminated with PFOA, a toxic chemical used in making Teflon and similar materials.

Hoosick Landfill, Others Potential State Superfund Sites

BY NORTH COUNTRY GAZETTE ON AUGUST 29, 2016 · LEAVE A COMMENT

HOOSICK FALLS—The state Department of Environmental Conservation (DEC) has declared municipal landfills in the Village of Hoosick Falls and Towns of Petersburg and Berlin to be potential State Superfund Sites. Preliminary investigations indicate that the sites may contain perfluorooctanoic acid (PFOA), which New York State listed as a hazardous substance on Jan. 27, making these sites eligible for potential placement on the State Superfund Site Registry.

Further investigation, in the form of a site characterization, will determine if there is evidence that hazardous waste was disposed at the landfills and whether any resulting contamination poses a significant threat to public health or the environment.

“DEC remains committed to ensuring a comprehensive clean-up of the contamination in these communities,” said DEC Commissioner Basil Seggos. “Identifying these two landfills as P-sites is the next step in the state’s ongoing response to provide residents in these affected communities the information and protection they deserve.”

PFOA is believed to have been disposed at both landfills. Monitoring wells at the Hoosick Falls site were found to contain concentrations up to 21,000 parts per trillion (ppt) of PFOA, and samples from leachate on the Petersburg/Berlin site were found to contain concentrations up to 4,200 ppt of PFOA.

The Hoosick Falls Landfill is owned by the Village of Hoosick Falls and was used as a landfill starting in the mid 1930’s until it stopped accepting waste in 1993 and was closed in 1994. The Petersburg Landfill, located in the Towns of Petersburg and Berlin, has been jointly owned by the Towns since 1982 and ceased accepting waste in 1991.

DEC, in consultation with New York State Department of Health (NYSDOH), is responsible for the investigation and remediation of all suspected or known inactive hazardous waste disposal sites. Comprehensive field investigations will be performed to determine the nature, source and extent of suspected contamination. As information for these sites becomes available, it will be reviewed by the NYSDOH to determine if site contamination presents public health exposure concerns. If hazardous waste representing a significant threat to public health or the environment was disposed of, DEC may list the site as a Class 2 State Superfund site and use its full authority under the State Superfund law to ensure that all remedial measures are carried out expeditiously.

DEC's investigation will include a search into past disposal practices at these landfills, and will include any tips received from the public regarding potential illegal dumping at these facilities. Anyone with information relevant to this investigation should contact the DEC Tips Hotline here.

The State Superfund Program is an enforcement tool that provides the necessary resources for the state to launch investigations into the nature and extent of contamination and hold the parties responsible accountable for the remediation of these sites. Through the terms of the Superfund program, DEC will seek to identify potentially responsible parties that disposed of hazardous wastes and hold them accountable for costs associated with the investigation and remediation.

DEC NEWS RELEASE (See Also: Attachment)

DEC and DOH Demand Reimbursement from EPA for State Costs Incurred during Hoosick Falls Response that are not Paid by Polluters

State Has Already Spent Almost \$25 Million with at Least \$50 Million in Additional Costs Expected

Confusing, Conflicting Guidance from EPA Exacerbated Hoosick Falls Situation

Commissioners to EPA Administrator McCarthy: "EPA has chosen not to regulate PFOA in drinking water-forcing state and local governments to adapt to confusing, changing, and inconsistent guidance"

Today, Department of Environmental Commissioner Basil Seggos and Department of Health Commissioner Howard Zucker officially requested that the U.S. Environmental Protection Agency reimburse New York State for any costs incurred during the response to the situation in Hoosick Falls that are not ultimately paid by the polluters.

In the letter, the commissioners make clear that the changing, conflicting guidance from the EPA about PFOA exacerbated the challenge in Hoosick Falls, resulting in undue public confusion and the marshaling of unprecedented state resources in order to adapt to the EPA's shifting advisories and recommendations.

"In a span of a few months, the EPA shifted their position repeatedly - changing the level from 400 parts per trillion to 100 parts per trillion in a single town, and then changing the national advisory level from 400 parts per trillion to 70 parts per trillion. In addition, the EPA has had different guidance for what to do when any of those levels are actually exceeded," said Commissioners Zucker and Seggos in the letter. "This generated undue public anxiety and different strategies and deployments for our agencies, resulting in the state marshaling unprecedented resources in order to adapt to the constantly shifting guidance and recommendations from the EPA. As a result, the EPA should reimburse the State for any costs not ultimately borne by the responsible parties."

To date, the state has already incurred close to \$25 million and anticipates at least \$50 million in additional costs in the coming years, including biomonitoring, installation and ongoing maintenance of home point of entry water treatment (POET) systems, full site remediation, and identification and connection to a permanent alternative water supply. The state remains fully committed to holding the responsible parties accountable for their actions.

Given the EPA's conflicting and inconsistent recommendations, the Commissioners also requested that the EPA provide standardized guidance for when a water system should be taken offline and when bottled water should be provided in the case of an exceedance of a health advisory level.

These requests were made in a letter to EPA Administrator Gina McCarthy (PDF, 206 KB).

DEC NEWS RELEASE (See Also: Attachments)

DEC Declares Hoosick Falls & Petersburg/Berlin Landfills as Potential State Superfund Sites

Field Investigations Underway to Determine the Nature, Source and Extent of the Contamination

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DEC's letters to the towns can be viewed by clicking on the following links:

- Letter to Hoosick Falls Officials (PDF, 726 KB)
- Letter to Petersburg and Berlin Officials (PDF, 732 KB)

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